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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,790	01/31/2005	Stephane Arcaro	2937-127	1745
6449 7590 05/14/2008 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005				
EXAMINER				
HUQ, AHMED E				
ART UNIT		PAPER NUMBER		
2192				
NOTIFICATION DATE		DELIVERY MODE		
05/14/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

Office Action Summary

Application No.

10/522,790

Applicant(s)

ARCARO ET AL.

Examiner

AHMED E. HUQ

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 11-28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3) ☒ Information Disclosure Statement(s) (PTO/SD/US)
Paper No(s)/Mail Date 1/31/2005
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-10 canceled by applicant
2. Claims 11-28 are presented for examination

Information Disclosure Statement

3. IDS are files on 1/31/2005 have been considered.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/522,790, filed on 07/30/2002.

Drawings

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: In illustration 3 and 4. In drawings label must corrected as "illustration" instead of "Fig 1, 2, 3 and 4" described in specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If

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the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11-28 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 11-28, recites a "software" that has been reasonably interpreted as computer program, component, file, code per se. Claims 11-28 fails to recite the "Software" as stored on an appropriate computer readable medium, which defines structural and functional interrelationships between the software and other components of a computer that permit the software's functionality to be realized-see MPEP 2106.01(I), Therefore, Claims 11-28 rejected as non-statutory.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11-18 are rejected under 35 U.S.C 102(e) as being anticipated by Preston et al. US 7,197,739 (hereinafter "Preston").

Claim 11, Preston teaches *a software for generation of a computer code of at least one part of a computer application (Col. 5 lines 58-61), in which the software generates the said computer code from a description of said at least one part of the computer application by distributing said description between several code generators according to modifiable distribution rules (Col. 5, lines 63 to Col. 6 lines 3, Fig 1b, where functionality of code generated by the generator 100, to the client terminal 101, store at data storage 106, Col. 6, lines 19-29, where using predetermined rule from the code generator 103 creates a processable computer program and distribute them on a terminal or network.), each code generator translating the part of said description that it is provided with (Col. 6, lines 44-46, where code generator 103 translate input into source code), in order to provide at least one part of the said computer code in a respective language (Col. 7, lines 23-26, where any programming language can generate code).*

Claim 12, Preston teaches *splitting up said description in object classes (Col. 7, lines 28-40, 62-67); the software distributing said object classes between the code generators according to said distribution rules (Col. 9, lines 7-14, 48-53, where multiple function input statements and semantic patterns may specify certain actions, conditions and statements, each of which require identifying if the input statement is to be coded by the code generator 103),*

each code generator translating the object classes that it is provided with, into said corresponding part of the said computer code (Col. 10, lines 10-16).

Claim 13, Preston teaches *splitting up said description in dependencies between said object classes (col. 13, lines 11-26, and in the case of a dependency between two object classes each translated by a different code generator (col. 14, lines 50-56, where operation control program 1010 consists of an operation system 1012, a browser 1014 and an application 1016), the software makes said dependency be handled by two adapters that each translate it into a computer code for interfacing the computer codes produced by said code generators for said two object classes (col. 14, lines 57 to col. 15 lines 5, where an adapter server 105 via the PSTN 108 and other adapter HTML file 1016 download applet from browser 1014).*

Claim 14, Preston teaches *which each of the two adapters produce Said respective interfacing computer code for a respective object class among said two object classes (Col. 15, lines 15-26, 30-37).*

Claim 15, Preston teaches *each of the two adapters inserts the respective interfacing computer code into the computer code produced by one of said code generators• for said object class for which the adapter has produced said interfacing computer code (Col. 15, lines 30-42, 48-56).*

Claim 16, Preston teaches *two adapters having to handle the dependency are chosen by the software following assignment rules associating (col. 14 lines 6-9, 15-21), for the orientation of the dependency of said two object classes, an adapter corresponding to each of the code generators translating said two object classes (col.*

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15, lines 37-42), *the said assignment rules being modifiable (col. 16, lines 32-34, 55-58).*

As per claim 17, limitations are similar to claim 16, (Col. 14, lines 57 to col. 15 lines 5) thus, same art apply.

As per claim 18, limitations are similar to claim 16 (Col. 15, lines 15-26, 30-37) thus, same art apply.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Preston et al. US 7,197,739 (hereinafter "Preston") in view of Henninger et al. US 5,499,371 (hereinafter "Henninger").

Claim 19, Preston teaches to generate computer code using set of predetermined rule from predefined functions in accordance with an input statement entered in natural language (see Abstract). But Preston does not explicitly teach functionality of object classes in a respective language. However, Henninger teaches in the same analogous art of generation of object model using semantics to generate a minimal set of routines for each object class that manipulate the object and other

objects to which it is related or from which it inherits (see Abstract) which comprising *generating said computer code from said description made in a language organized in object classes* (col. 6, lines 8-12), *in which said language enables to define first classes giving access to technical or functional services to be provided by a hardware and software computer platform receiving the computer application* (col. 9, lines 24-36), *said services being not definable by said language* (col. 9, lines 36-50 where primary key attributes define a unique object instance) , *and the other classes of said language cannot have access to any one of said services except through said first classes* (col. 9 lines 60 to col 10 lines 8, where use of foreign key information for the relationship can be stored in the class of primary key (col. 10 lines 14-22)).

Claim 20, Henninger teaches *distributing said description between the code generators according to distribution rules associating at least some of said first classes (col. 10, lines 33-36) or of said other classes of said language with at least one of said code generators (col. 10 lines 50-64).*

Claim 21, Henninger teaches *splitting up said description in object classes* (Fig 6A, GA, GC, GD shows the attributes of object class), *the software distributing said object classes between the code generators according to said distribution rules* (col. 11, lines 10-17), *each code generator translating the objects classes that it is provided with (col. 11, lines 20-23), into said corresponding part of said computer code and wherein the software splits up said description into first classes or into other classes of said language* (col. 11 lines 34-41).

Claim 22, Henninger teaches *generating said computer code from said description made in a language organized in object classes (col. 6, lines 8-12), in which said language enables to define first classes giving access to technical or functional services to be provided by a hardware and software computer platform receiving the computer application, said services being not definable by said language (col. 9, lines 36-50 where primary key attributes define a unique object instance), and the other classes of said language cannot have access to any one of said services except through said first classes and wherein the software splits up said description in dependencies between said object classes from dependencies between said first classes or other classes of said language (Col. 11 lines 34-41, (col. 9, lines 60 to col. 10 lines 8, where use of foreign key information for the relationship can be stored in the class of primary key (col. 10, lines 14-22), Fig 6A, GA, GC, GD shows the attributes of object class).*

It would have been obvious to one of ordinary skills in the art at the time the invention was made to understand Henninger's demonstrate the detailed software generating code using object class in a programming language for the application in (Col. 6, lines 8-15); moreover, Henninger's also teaches functionality of object class between code generator and distribution rule, when its executes, provide transparent access to data using the object classes to transparently integrate information from multiple databases (col. 3, lines 1-10). In addition to Preston's generating code using object class will benefit if components correctly implemented according to the design view and proper elements of class using unique key and it will automatically generate

code upon execution as one suggested by Henninger (Col. 3, lines 1-21, and that would provide Preston with an efficient means for transparently access multiple integration of object-oriented program).

As per claim 23, same art and rationale apply as claim 22. In addition (Fig. 3 shows details cycles of code distributed according to the semantics of object classes).

As per claim 24, same art and rationale apply as claim 22. In addition (Fig. 3 shows details cycles of code distributed according to the semantics of object classes).

9. Claims 25-28 are rejected under 35 U.S.C 102(b) as being anticipated by Henninger et al. US 5,499,371 (hereinafter “Henninger”).

Claim 25, Henninger teaches *in which a software description language organized in classes enabling to define first classes giving access to technical and functional services to be provided by a hardware and software computer platform receiving the computer application* (col. 9, lines 36-50 where primary key attributes define a unique object instance) , *the said services cannot be defined by said language, and the other classes cannot have access to any one of these technical or functional services except through said first classes* (col. 9 lines 60 to col. 10 lines 8, where use of foreign key information for the relationship can be stored in the class of primary key (col. 10, lines 14-22)).

Claim 26, Henninger teaches *the type of an object-oriented language for computer application modeling* (see Abstract, col. 6 lines 21-25, col. 10 lines 34-40).

Claim 27, Henninger teaches *a software enabling to graphically or textually build a computer application model* (see Fig. 1 model for computer system with graphical view of GUI (5) and Source code 12) *and to provide a description of the model in a software description language organized in classes enabling to define first classes giving access to technical and functional services to be provided by a hardware and software computer platform receiving the computer application* (Fig. 3, representing an overview of the method of an object model) , *in which: the said services cannot be defined by said language (col. 6, lines 49-55 where database can be organized into tables, as in a relational database, each table is defined by primary key and foreign key which is defined by a unique ID (primary key)), and the other classes cannot have access to any one of these technical or functional services except through said first classes*(col. 9 lines 60 to col. 10 lines 8, where use of foreign key information for the relationship can be stored in the class of primary key (col. 10, lines 14-22)).

Claim 28, Henninger teaches *enabling to graphically or textually build a model of computer application human-machine interface* (Col. 15 lines 49-53, 60-67 and Fig 1, GUI 5).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AHMED E. HUQ whose telephone number is (571)270-1515. The examiner can normally be reached on Monday-Friday 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ahmed E Huq/
Examiner, Art Unit 2192
5/9/2008

/Tuan Q. Dam/

Supervisory Patent Examiner, Art Unit 2192